

AT-42598

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

**Joseph Sinatra and
Kathryn Sinatra, his wife, et al.;**

Plaintiffs,

- against -

ABB Lummus Crest, Inc., et al.;

Defendants.

Index No.: 105886/01

*Plaintiff designates NEW YORK
County as the place of trial*

*The basis of the venue is
Defendant's Place of Business*

Summons

Complaint Filed: March 23, 2001

*Plaintiff resides at
See Attached Complaint*

County of:

To the above named Defendant: Listed on the Attached Schedule

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of the summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: March 26, 2001

Defendant's address: See Attached Schedule

WILENTZ, GOLDMAN & SPITZER
Attorney(s) for Plaintiff
Office and Post Office Address
Wall Street Plaza
88 Pine Street
New York, New York 10005

A.C.&S., INC.
AMERICAN STANDARD, INC.
ARMOR KONE ELEVATOR CO., INC.
ASBESTOS CORPORATION LTD.
BERGEN INDUSTRIAL SUPPLY CO., INC.
BLACKMAN PLUMBING SUPPLY COMPANY, INC.
BORG-WARNER CORPORATION
CERRO WIRE & CABLE CO., INC.
CHRYSLER CORPORATION
CLEAVER-BROOKS COMPANY
CONSOLIDATED RAIL CORPORATION
DB RILEY, INC.
DURABLA MANUFACTURING COMPANY
DURO DYNE CORPORATION
E&B MILL SUPPLY CO.
EMPIRE-ACE INSULATION MFG. CORP.
FARRELL LINES INCORPORATED
FLYNN HILL ELEVATOR CORPORATION
FORD MOTOR COMPANY
GARLOCK, INC.
GENERAL ELECTRIC COMPANY
GENERAL MOTORS CORPORATION
GENERAL REFRACTORIES COMPANY
HONEYWELL INTERNATIONAL, INC.
IMO INDUSTRIES, INC.
KAISER GYPSUM COMPANY, INC.
LAC D'AMIANTE DU QUEBEC, LTEE
LEEDS & NORTHRUP COMPANY
M.J. KELLY CO.
MADSEN & HOWELL, INC.
METROPOLITAN LIFE INSURANCE COMPANY
MONTGOMERY KONS, INC.
MORSE-DIESEL INTERNATIONAL INC.
NEW YORK PROTECTIVE COVERING INDUSTRIES, INC.
ORANGE AND ROCKLAND UTILITIES, INC.
OTIS ELEVATOR COMPANY
RAPID AMERICAN CORP.
S.W. ANDERSON SALES CORP.
SAFEGUARD INDUSTRIAL EQUIPMENT CO.
SERGE ELEVATOR MANUFACTURING CORPORATION
SID HARVEY INDUSTRIES, INC.
STALEY ELEVATOR CO., INC.
STATE INSULATION CORP.
STONE & WEBSTER ENGINEERING CORPORATION
THOMAS O'CONNOR & CO., INC.
THYSSENKRUPP ELEVATOR CORPORATION
TISHMAN LIQUIDATING CORP.
TISHMAN REALTY & CONSTRUCTION CO., INC.
TURNER CONSTRUCTION COMPANY
VERMONT ASBESTOS GROUP
WESTINGHOUSE ELECTRIC CORPORATION
WESTINGHOUSE ELEVATOR COMPANY

MARTIN F. SINATRA and
KATHRYN SINATRA, his wife;
JOHN BECHTOLD;
JOHN BRENNAN;
RICHARD S. CAGGIANO and
ROSEANN CAGGIANO, his wife;
LORETTA CAPRARA, Individually and as the
Executrix of the Estate of FRANK P. CAPRARA;
SALVATORE CAPRARIO;
KENNETH C. HEYL;
HARRISON B. JONES;
JAKE LOGAN;

Plaintiffs,

- against -

ABB LUMMUS CREST, INC., individually and as
successor to and formerly known as Lummus
Crest, Inc. and Lummus Company;
A.C.&S., INC., formerly Armstrong Contracting
and Supply, Inc.;
A.P. GREEN INDUSTRIES, INC., individually and
as successor to A.P. Green Firebrick Company
and A.P. Green Refractories Co.;
A.W. CHESTERTON COMPANY;
AMERICAN HARDWARE AND PAINT CO., INC., also
known as American Elgen, individually and as
successor to United Air Control;
AMERICAN STANDARD INC., formerly American
Radiator & Standard Sanitary Corp.
individually and as a successor to Kewanee
Boiler Company, Inc.
THE ANCHOR PACKING COMPANY;
ARMOR KONE ELEVATOR CO., INC., individually and
as successor to and formerly known as Armor
Elevator Co., Inc. (named only as to
sub-plaintiff John Brennan);
ARMSTRONG WORLD INDUSTRIES, INC., formerly
Armstrong Cork Company and Armstrong
Contracting and Supply;
ASBESTOS CLAIMS MANAGEMENT CORPORATION,
individually and as successor to National
Gypsum Company, Asbestos Ltd. and Smith
Asbestos Co. and alter ego of and/or
successor to National Asbestos Mines Ltd.;
ASBESTOS CORPORATION LTD., individually and as
successor to Johnson's Company (named only
as to sub-plaintiff Kenneth C. Heyl);
ASBESTOSPRAY CORP.;
THE BABCOCK & WILCOX COMPANY, individually and
as successor to B & W Refractories Limited,
Standard Refractories Limited and Holmes
Blunt Limited;
BECHTEL CORPORATION;
BERGEN INDUSTRIAL SUPPLY CO., INC. (named only
as to sub-plaintiffs Martin F. Sinatra and
Kathryn Sinatra);
BLACKMAN PLUMBING SUPPLY COMPANY, INC.,
individually and successor to Blackman-
Hoffman Company, Inc., Blackman-Riverhead
Corp., Blackman-Shapiro Co. Inc., Blackman-
Ludington Corp., Blackman-Southampton Corp.,
Blackman-Hicksville Co., Inc., Blackman-
Queens Corp. and Blackman-Medford Corp.;
BORG-WARNER CORPORATION c/o Borg-Warner
Automotive Corp., Inc. (named only as to
sub-plaintiff Harrison B. Jones);

Index No.: 105886/01

COMPLAINT FILED:
March 23, 2001

VERIFIED COMPLAINT

BURNS AND ROE ENTERPRISE, INC., formerly Burns and Roe, Inc.;

CALON INSULATION CORP. (named only as to sub-plaintiffs Martin F. Sinatra and Kathryn Sinatra);

CAREY CANADA, INC., formerly Carey Canadian Mines, Ltd., individually and as successor to Quebec Asbestos Corp. Ltd.;

THE CELOTEX CORPORATION, individually and as successor to Philip Carey Corporation, Philip Carey Mfg. Co., Philip Carey Co., Inc., XPRU Corporation, Briggs Mfg. Co., Panacorp Corporation, Smith & Kanzler, Inc. and Quebec Asbestos Corp. Ltd.;

CENTRAL HUDSON GAS & ELECTRIC CORPORATION;

CERRO WIRE & CABLE CO., INC., individually and as successor to and/or also known as The Rockbestos Company, Rockbestos Wire and Cable Co. and Rockbestos-Surprenant Cable Corporation;

CERTAINTED CORPORATION, formerly CertainTeed Products Corp., individually and as successor to Keasbey and Mattison Company;

CHRYSLER CORPORATION (named only as to sub-plaintiff Harrison B. Jones);

CLEAVER-BROOKS COMPANY;

COMBUSTION ENGINEERING, INC., individually and as successor to M.H. Detrick Company, Walsh Refractory Corporation and Refractory and Insulation Corporation, now known as C. & E. Refractories, Inc.;

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.;

CONSOLIDATED RAIL CORPORATION, individually and as successor to Pennsylvania Railroad Corporation, New York Central Railroad Corporation, Pennsylvania Central Railroad Corporation, Erie Railroad Corporation, Lackawanna Railroad Corporation and Erie-Lackawanna Railroad Corporation. (named only as to sub-plaintiff Jake Logan);

COURTER & COMPANY, INCORPORATED;

CROWN, CORK & SEAL COMPANY, INC., individually and as successor to Mundet Cork Corp.;

DB RILEY, INC., individually, as successor to, and/or formerly known as DB Riley Stoker Corporation, and as successor to, and/or formerly doing business as Union Iron Works (named only as to sub-plaintiffs Martin F. Sinatra and Kathryn Sinatra);

DANA CORPORATION, individually and as successor to Spicer Enterprises, Inc.;

DUCT MATE INDUSTRIES, INC.;

DURABLA MANUFACTURING COMPANY;

DURO DYNE CORPORATION;

E&B MILL SUPPLY CO. (named only as to sub-plaintiffs Martin F. Sinatra and Kathryn Sinatra);

EAGLE-PICHER INDUSTRIES, INC.;

EASTCO INDUSTRIAL SAFETY CORP., a/k/a Charkate Glove and Specialty Company;

EASTERN REFRACTORIES COMPANY, INC.;

EMPIRE-ACE INSULATION MFG. CORP., individually and as successor to Empire Asbestos Co. and Ace Asbestos Mfg. Company;

FARRELL LINES INCORPORATED, individually and as successor to American Export Lines, Inc. (named only as to sub-plaintiff Loretta Caprara, Individually and as the Executrix of the Estate of Frank P. Caprara);

FIBREBOARD CORPORATION, individually and as successor to Fibreboard Paper Products Corporation, Pabco Products, Inc., and Plant, Rubber & Asbestos Works, Inc.;
THE FLEXITALLIC GROUP, INC., individually and as successor to Flexitallic, Inc. and Flexitallic Gasket Company Inc.;
THE FLINTKOTE COMPANY;
FLYNN HILL ELEVATOR CORPORATION (named only as to sub-plaintiff John Brennan);
FORD MOTOR COMPANY (named only as to sub-plaintiff Harrison B. Jones);
FOSTER WHEELER CORPORATION;
GAF CORPORATION, individually and as successor to the Ruberoid Co. and Vermont Asbestos Corporation;
GARLOCK, INC.;
GENERAL ELECTRIC COMPANY;
GENERAL MOTORS CORPORATION (named only as to sub-plaintiff Harrison B. Jones);
GENERAL REFRACTORIES COMPANY;
GEORGE A. FULLER COMPANY;
GEORGIA-PACIFIC CORPORATION;
GIAMBOI BROS., INC.;
GUYON GENERAL PIPING, INC., individually and as successor to and formerly known as Charles F. Guyon, Inc.;
H.H. ROBERTSON COMPANY;
H.K. PORTER COMPANY, INC., individually and as successor to Southern Asbestos Company, Carolina Asbestos Company and Thermoid Company;
HARBISON-WALKER REFRACTORIES CO., a division or subsidiary of Dresser Industries, Inc.;
HONEYWELL INTERNATIONAL, INC. as successor to Allied Signal, Inc. and Aftermarket Brake and Friction Materials Division of Bendix Corporation (named only as to sub-plaintiff Harrison B. Jones);
IMO INDUSTRIES INC., as successor to and formerly known as DeLaval Turbine, Transamerica DeLaval, and IMO DeLaval;
INGERSOLL-RAND COMPANY;
J.H. FRANCE REFRACTORIES CO., INC.;
JANOS INDUSTRIAL INSULATION, INC.;
JOHN W. WALLACE & CO.;
KAISER ALUMINUM & CHEMICAL CORPORATION;
KAISER GYPSUM COMPANY, INC.;
KEENE CORPORATION, individually and as successor to Ehret Magnesia Mfg. Co., Baldwin Hill Co., Baldwin-Ehret-Hill Co., Inc., Keene Building Products Co.;
KENTILE FLOOR INC., individually and as successor to Kentile, Inc.;
KING INSULATION COMPANY, INC., now known as King-Dandorf Insulation;
LAC D'AMIANTE DU QUEBEC, LTEE, formerly Lake Asbestos of Quebec, Ltd., individually and as successor to National Asbestos Mines, Ltd. (named only as to sub-plaintiff Kenneth C. Heyl);
LEEDS & NORTHRUP COMPANY;
LONG ISLAND LIGHTING COMPANY;
M.H. DETRICK COMPANY;
M.J. KELLY CO.;
MADSEN & HOWELL, INC. (named only as to sub-plaintiffs Martin F. Sinatra and Kathryn Sinatra);
MARIO & DIBONO PLASTERING CO., INC.;
METROPOLITAN LIFE INSURANCE COMPANY (named only as to sub-plaintiff Kenneth C. Heyl);
METROPOLITAN REFRACTORIES CORPORATION;
MINNESOTA MINING & MANUFACTURING COMPANY;

MONTGOMERY BROS., INC. (named only as to
 sub-plaintiff John Brennan);
 MORSE-DIESEL INTERNATIONAL INC.;
 NEW YORK PROTECTIVE COVERING INDUSTRIES, INC.;
 NORTH AMERICAN REFRACTORIES COMPANY;
 ORANGE AND ROCKLAND UTILITIES, INC.;
 OTIS ELEVATOR COMPANY (named only as to
 sub-plaintiff John Brennan);
 OWENS-CORNING FIBERGLAS CORPORATION;
 OWENS-ILLINOIS, INC.;
 PFIZER, INC.;
 PITTSBURGH CORNING CORPORATION;
 PORTER-HAYDEN COMPANY, individually and as
 successor to H.W. Porter and Co., and Reid
 Hayden Co. (named only as to sub-plaintiffs
 Martin F. Sinatra and Kathryn Sinatra);
 PPG INDUSTRIES, INC. (formerly known as
 Pittsburgh Plate Glass Company),
 individually and as successor to and/or
 alter ego of Pittsburgh Corning Corp.;
 PUERTO RICO SAFETY EQUIPMENT CORPORATION;
 PULMOSAN SAFETY EQUIPMENT CORPORATION;
 QUIGLEY COMPANY, INC.;
 RAPID AMERICAN CORP., individually and as
 successor to The Celotex Corporation, Philip
 Carey Corporation, Philip Carey Mfg. Co.,
 Philip Carey Company, Inc., XPRU
 Corporation, Briggs Manufacturing Company,
 Panacon Corporation, Smith & Kanzler, Inc.
 and Quebec Asbestos Corp., Ltd.;
 RARITAN SUPPLY COMPANY, individually and as
 successor to Bridge Supply Co. (named only
 as to sub-plaintiffs Martin F. Sinatra and
 Kathryn Sinatra);
 RESEARCH COTTRELL, INC.;
 ROBERT A. KEASBEY COMPANY;
 ROCKBESTOS WIRE AND CABLE CO., individually and
 as successor to and/or also known as The
 Rockbestos Company, Cerro Wire & Cable Co.,
 Inc. and Rockbestos-Surprenant Cable Corp.;
 ROCK WOOL MANUFACTURING COMPANY;
 RUTLAND FIRE CLAY COMPANY;
 S.W. ANDERSON SALES CORP.;
 SAFEGUARD INDUSTRIAL EQUIPMENT CO.;
 SERGE ELEVATOR MANUFACTURING CORPORATION (named
 only as to sub-plaintiff John Brennan);
 SID HARVEY INDUSTRIES, INC., individually and
 successor to or formerly known as Sid Harvey
 Sales Co.;
 SOUTHDOWN INC., as successor to Moore-McCormack
 Lines Inc. (named only as to sub-plaintiff
 Loretta Caprara, Individually and as the
 Executrix of the Estate of Frank P. Caprara);
 SOUTHERN TEXTILE CORPORATION, division of H.K.
 Porter Company;
 SPRAYCRAFT CORPORATION, now known as H & A
 Construction Corp.;
 STALEY ELEVATOR CO., INC. (named only as to
 sub-plaintiff John Brennan);
 STANDARD INSULATION CO., formerly Standard
 Asbestos Co.;
 STATE INSULATION CORP. (named only as to
 sub-plaintiffs Martin F. Sinatra and
 Kathryn Sinatra);
 STONE & WEBSTER ENGINEERING CORPORATION;
 THOMAS O'CONNOR & CO., INC.;
 THYSSENKRUPP ELEVATOR CORPORATION, formerly
 known as Dover Elevator Company (named only
 as to sub-plaintiff John Brennan);
 TISHMAN LIQUIDATING CORP., formerly known as
 Tishman Realty & Construction Co., Inc.;
 TISHMAN REALTY & CONSTRUCTION CO., INC.;
 TREADWELL CORPORATION;

TURNER & NEWALL, P.L.C., individually and as
 successor to and alter ego of Keasbey &
 Mattison Co. and Bell Asbestos Mines, Ltd.;
TURNER CONSTRUCTION COMPANY;
UNIROYAL, INC., individually and as successor
 to United States Rubber Company, Inc.;
UNITED STATES GYPSUM COMPANY;
UNITED STATES MINERAL PRODUCTS COMPANY;
VERMONT ASBESTOS GROUP (named only as to
 sub-plaintiff Kenneth C. Heyl);
W.R. GRACE & CO. - CONN, formerly W.R. Grace &
 Co., individually and as successor to
 Zonolite Corporation;
WEIL-McLAIN, a division of the Marley Company,
 successor in interest to the Wylain Co.;
WESTINGHOUSE ELECTRIC CORPORATION;
WESTINGHOUSE ELEVATOR COMPANY (named only as to
 sub-plaintiff John Brennan);
WOLFF & MUNIER SERVICE COMPANY, INC.;
WOOLSULATE CORPORATION;
WORTHINGTON CORPORATION;
YORK INDUSTRIES CORP., formerly York Insulation
 Company;
JOHN DOE 1 through JOHN DOE 75
 (fictitious),

Defendants.

-----X

Plaintiffs, complaining of the defendants, by Wilentz,
 Goldman & Spitzer, P.C., their attorneys, respectfully allege, upon
 information and belief, at all times hereinafter mentioned, as
 follows:

PARTIES - PLAINTIFFS

1. Martin F. Sinatra resides at 108 Bowne Court,
 Matawan, New Jersey 07747 and served in the U.S. Navy from 1964 to
 1966, worked for New York Telephone as a wireman from 1966 to 1967,
 worked for United Airlines as an equipment operator from 1967 to
 1968. Plaintiff has been a member of Plumbers Union Local 1 and
 Local 371 from 1973 to the present and has worked at various
 locations throughout New York and New Jersey including Brooklyn Navy
 Yard, Bethlehem Steel Shipyard, JCP&L Powerhouses and PSE&G
 Powerhouses. In these capacities, and at other times and places, he
 was exposed to dust from asbestos and asbestos containing products
 and he has contracted esophageal cancer and other serious diseases.

2. Kathryn Sinatra is the lawful wife of Martin F.
 Sinatra.

LENTZ GOLDMAN &SPITZER P.A.

ATTORNEYS AT LAW

90 Woodbridge Center Drive
Suite 900 Box 10
Woodbridge, NJ 07095-0958
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Two Industrial Way West
Eatontown, NJ 07724-2265
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Fax (732) 493-8387

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26th Floor
New York, NY 10038-3901
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Please reply to:
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lexarchakis@wilentz.com

DAVID T. WILENTZ (DL 1988)
G. GEORGE GOLDMAN (1922-1959)
HENRY M. SPITZER (1928-1988)

WARREN W. WILENTZ
MATTHIAS D. DILEO
MORRIS BROWN
FREDERIC K. BECKER
NICHOLAS L. SANTOWASSO
RICHARD F. LERT
JOHN A. HOFFMAN
STEPHEN E. BARCAN
FRANCIS V. BONELLO
VINCENT P. MALTESE
DAVID M. WILSTEIN
GORDON J. GOLUM
MARVIN J. BRAUTH
STUART A. HOBERMAN
STEPHEN A. SPITZER
ANNE S. BABINEAU
CHRISTINE D. PETRUZZELL
BRIAN J. MOLLOY
RANDALL J. RICHARDS
SHELDON E. JAFFE
JOSEPH J. JANKOWSKI
DAVID S. GORDON
FREDERICK J. DENNEHY
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ALAN WASSERMAN
JAMES E. TRABILSY
MAUREEN S. BINETTI
ANTHONY J. PANNELLA, JR.
MICHAEL J. BARRETT
MICHAEL F. SCHAFF
ANGELO JOHN CIFALDI
FRANCIS X. JOURNICK, JR.
KEVIN M. BERRY
NOEL S. TONNEMAN
JOHN T. KELLY
C. KENNETH SHANK

BARRY A. COOPER
JONG G. KUPIK
PETER R. HERMAN
EDWARD T. KOLE
HESSER G. McBRIDE, JR.
ERIC JOHN MARCY
ROBERT C. KAUTZ
VIOLA S. LORDI
LYNNE M. KIZIS
KEVIN P. RODDY
STEVEN P. MARSHALL
DOUGLAS WATSON LUBIC
CHERYL J. OBERDORF
LISA A. GORAB
RUSSELL J. FISHKIND
FRED HOPKE
CHARLES F. VUOTTO, JR.
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BARRY R. SUGARMAN
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ALFRED M. ANTHONY
DARREN M. GELBER
MATTHEW M. WEISSMAN
WILLIAM J. LINTON
DONNA M. JENNINGS
GIOVANNI ANZALONE
PETER A. GREENBAUM
WILLARD C. SHIH
BLAIR R. ZWILLMAN
STEVEN R. ENIS
LAWRENCE C. WEINER
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ROBERT A. PETITO
HAROLD G. SMITH
ALFRED J. HILL (1962-2002)
ROBERT J. CIRAFESI (1970-2004)
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JAMES P. LUNDY
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JAMES E. TONREY, JR.
DEIRDRE WOLFE PACHECO
ROBERTO BENITES

ASSOCIATES
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ELIZABETH C. DELL
ABBY RESNICK-PARIGIAN
BRIAN KALVER
ELLEN TORREGROSSA-O'CONNOR
NANCY A. SLOWE
KELLY A. ERHARDT-WOJIE
JEFFREY J. BROOKNER
JAMES E. MCGUIRE
FRANCINE E. TAJFEL
ELIZABETH SISO BAIR
RONALD P. COLICCHIO
M. MATTHEW MANNION
DANIEL M. SERVIS
COURTENAY C. HANSEN
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JOHN M. CANTALUPO
JOHN E. HOGAN
DONNA A. MCBARRON
DANIEL R. WASP
JOSEPH R. ZAPATA, JR.
JOHN P. MURDOCH II
ANNA MARIA TEJADA
MARY H. SMITH
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THOMAS P. KELLY

ANNA I. MONFORTH
JENNIFER D. SOYKA
EVERETT M. JOHNSON
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JESSICA S. PYATT
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LILLIAN A. PLATA
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PAMELA R. GOLD-ZAFRA
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GEMMA L. ABERNOVICH
KRISTEN M. BENEDETTO
KARL AUGUST DORWART
GIRA A. DESAI
JOSEPH J. RUSSELL, JR.
DEEPA KAIKEN
DANIEL A. PRUPIS

◊ Certified Civil Trial Attorney
□ Certified Criminal Trial Attorney
‡ Certified Matrimonial Attorney
† Certified Workers Compensation Attorney
* National Certified Civil Trial Specialist
Approved by the ABA
1 Not admitted NJ
2 Admitted NY
3 Admitted PA
4 Admitted CT
5 Admitted DC
8 Admitted MA
7 Admitted MD
8 Admitted VA
9 Admitted CA
10 Admitted FL

October 11, 2006

Suzanne Halbardier, Esq.
Barry, McTiernan & Moore
2 Rector Street, 14th Floor
New York, NY 10006

Re: Asbestos Litigation Settlements
STATE INSULATION CORP.; Feb 3, 2005
Balance due: \$16,250.00

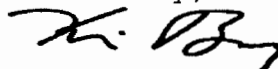
Dear Counsel:

We previously submitted closing documents to your office in favor of the above-referenced defendant. According to our records, the amount of \$16,250.00 remains due and unpaid under the referenced settlement agreement. For your convenience, we have attached a Settlement Agreement Status Report.

Please forward the outstanding balance at this time. If payment is not made within 30 days, we will file a Motion to Enforce this settlement agreement. Because of renewed efforts toward enacting federal asbestos legislation, we regret that we do not have any flexibility in enforcing payment of this agreement.

If you have any questions, please contact the undersigned, or our settlement coordinator, Lori L. Exarchakis at (732) 636-8000 extension 5788.

Sincerely,



Kevin M. Berry

KMB/lle
Enclosures

RUSSO V. A.P. GREEN INDUSTR. - 116214/98
Russo, Paula Russo, John J.

2,875.00 05/18/2005 2,875.00

SCANZANO V. ABB LUMMUS CREST - 103787/95
Scanzano, Anna Scanzano, Dominick

0.00 0.00

SINATRA V. ABB LUMMUS CREST - 105886/01
Sinatra, Kathryn Sinatra, Martin F.

5,750.00 05/18/2005 5,750.00

SLIVKA V. ABB LUMMUS CREST - 102437/01
Slivka, William J. Slivka, George

11,500.00 05/18/2005 11,500.00

VENTURINO V. ABB LUMMUS - 109033/98
Venturino, Philip

2,875.00 05/18/2005 2,875.00

VINSKO V. ABB LUMMUS CREST - 125309/00
Vinsko, Joan Vinsko, Raymond E.

2,875.00 0.00

WARD V. ABB LUMMUS CREST - 121211/00
Ward, Janice Ward, Jerome

11,500.00 05/18/2005 11,500.00

x:\tc52558\adoption

WILLIAM D. JOYCE, III (WDJ9899)
BARRY, McTIERNAN & MOORE
2 Rector Street -- 14th Floor
New York, New York 10006
(212) 313-3600

Attorneys for Defendants STRUCTURE TONE, INC. s/h/a STRUCTURE TONE
(UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE LOWER MANHATTAN DISASTER SITE
LITIGATION

-----X
JOEL CHALCO,

Plaintiff,

-against-

**NOTICE OF
ADOPTION**

08 CIV 2268

ON SITE:

7 WORLD TRADE COMPANY, L.P.; A RUSSO WRECKING,
INC.; ABM INDUSTRIES, INC.; ABM JANITORIAL
NORTHEAST, INC.; AMEC CONSTRUCTION
MANAGEMENT, INC.; AMEC EARTH &
ENVIRONMENTAL, INC.; ANTHONY CORTESE
SPECIALIZED HAULING LLC.; ATLANTIC HEYDT
CORP.; BECHTEL ASSOCIATES PROFESSIONAL
CORPORATION; BECHTEL CONSTRUCTION, INC.;
BECHTEL CORPORATION; BECHTEL ENVIRONMENTAL,
INC.; BERKEL & COMPANY, CONTRACTORS, INC.;
BIG APPLE WRECKING & CONSTRUCTION CORP.;
BOVIS LEND LEASE LMB, INC.; BREEZE CARTING
CORP.; BREEZE NATIONAL INC.; BRER-FOUR
TRANSPORTATION CORP.; BURO HAPPOLD
CONSULTING ENGINEERS, P.C.; C.B. CONTRACTING
CORP.; CANRON CONSTRUCTION CORP.; CORD
CONTRACTING CO., INC.; DAKOTA DEMO-TECH;
DIAMOND POINT EXCAVATING CORP.; DIEGO
CONSTRUCTION, INC.; DIVERSIFIED CARTING, INC.;
DMT ENTERPRISE, INC.; D'ONOFRIO GENERAL
CONTRACTORS CORP.; EAGLE LEASING &
INDUSTRIAL SUPPLY, INC.; EAGLE ONE ROOFING
CONTRACTORS INC.; EJ DAVIES, INC.; EN-TECH

CORP.; EVERGREEN RECYCLING OF CORONA (EROC);
EWELL W. FINLEY, P.C.; EXECUTIVE MEDICAL
SERVICES, P.C.; FLEET TRUCKING, INC.; FRANCIS
A. LEE EXTERIOR RESTORATION, INC.; FTI
TRUCKING, INC.; GILSANZ, MURRAY, & STEFICEK,
LLP; GOLDSTEIN ASSOCIATES CONSULTING
ENGINEERS, PLLC; HALLEN WELDING SERVICE,
INC.; H.P. ENVIRONMENTAL; KOCH SKANSKA INC.;
LAQUILA CONSTRUCTION INC.; LASTRADA
GENERAL CONTRACTING CORP.; LESLIE E.
ROBERTSON ASSOCIATES CONSULTING ENGINEERS,
P.C.; LIBERTY MUTUAL GROUP; LOCKWOOD,
KESSLER & BARTLETT, INC.; LUCIUS PITKIN, INC.;
LZA TECH-DIV OF THORTON TOMASETTI; MANAFORT
BROTHERS INCORPORATED; MAZZOCCHI WRECKING,
INC.; HUDSON MERIDIAN CONSTRUCTION GROUP, LLC
F/K/A MERIDIAN CONSTRUCTION CORP.; MORETRENCH
AMERICAN CORP.; MRA ENGINEERING, PC; MUESER
RUTLEDGE CONSULTING ENGINEERS, INC.; NACIREMA
INDUSTRIES INCORPORATED; NEW YORK CRANE &
EQUIPMENT CORP.; NICHOLSON CONSTRUCTION
COMPANY; PETER SCALAMANDRE & SONS, INC.;
PINNACLE ENVIRONMENTAL CORP.; PLAZA
CONSTRUCTION CORP.; PORT AUTHORITY OF NEW
YORK AND NEW JERSEY; PRO SAFETY SERVICES LLC;
PT & L CONTRACTING CORP.; ROBER SILMAN ASSOCIATES;
ROBERT L. GEROSA, INC.; RODAR ENTERPRISES, INC.;
ROYAL GM, INC.; SAB TRUCKING INC.; SAFEWAY
ENVIRONMENTAL CORP.; SEASONS INDUSTRIAL
CONTRACTING; SEMCOR EQUIPMENT & MANUFACTURING
CORP.; SILVERITE CONTRACTING CORPORATION;
SIMPSON GUMPERTZ & HEGER INC.; SKIDMORE
OWING & MERRILL LLP; SURVIVAIR; TISHMAN
CONSTRUCTION CORPORATION OF MANHATTAN;
TISHMAN CONSTRUCTION CORPORATION OF NEW YORK;
TISHMAN INTERIORS CORPORATION; TISHMAN
SPEYER PROPERTIES; THORTON-TOMASETTI GROUP,
INC.; TORRETTA TRUCKING, INC.; TOTAL SAFETY
CONSULTING, L.L.C.; TUCCI EQUIPMENT RENTAL CORP.;
TULLY CONSTRUCTION CO., INC.; TURNER CONSTRUCTION
COMPANY; ULTIMATE DEMOLITION/CS HAULING (JOINT
VENTURE); VOLLMER ASSOCIATES LLP; WEEKS MARINE,
INC.; WEIDLINGER ASSOCIATES, CONSULTING
ENGINEERS, P.C.; WHITNEY CONTRACTING INC.;
WOLKOW-BRAKER ROOFING CORP.; WORLD TRADE
CENTER PROPERTIES LLC; WSP CANTOR SEINUK;

YANNUZZI & SONS, INC.; YONKERS CONTRACTING
COMPANY, INC.; YORK HUNTER CONSTRUCTION, LLC;
ZIEGENFUSS DRILLING, INC.;

OFF SITE:

ALAN KASMAN DBA KASCO, AMERICAN EXPRESS BANK,
LTD, AMERICAN EXPRESS COMPANY, AMERICAN EXPRESS
TRAVEL RELATED SERVICES COMPANY, INC., ANN TAYLOR
STORES CORPORATION, BANKERS TRUST COMPANY,
BATTERY PARK CITY AUTHORITY, BFP TOWER C CO. LLC.,
BFP TOWER C MM LLC., BLACKMON-MOORING-STEAMATIC
CATASTROPHE, INC. D/B/A BMS CAT, BROOKFIELD
FINANCIAL PROPERTIES, INC., BROOKFIELD FINANCIAL
PROPERTIES, LP, BROOKFIELD PARTNERS, LP, BROOKFIELD
PROPERTIES CORPORATION, BROOKFIELD PROPERTIES
HOLDINGS INC., BT PRIVATE CLIENTS CORP.; DEUTSCHE
BANK TRUST COMPANY, DEUTSCHE BANK TRUST
COMPANY AMERICAS, DEUTSCHE BANK TRUST
CORPORATION, ENVIROTECH CLEAN AIR, INC., GPS
ENVIRONMENTAL CONSULTANTS, INC., HILLMAN
ENVIRONMENTAL GROUP, LLC., INDOOR ENVIRONMENTAL
TECHNOLOGY, INC., KASCO RESTORATION SERVICES CO.,
LEHMAN BROTHERS HOLDINGS INC., LEHMAN BROTHERS,
INC., LEHMAN COMMERCIAL PAPER, INC., MERRILL LYNCH
& CO., INC., NOMURA HOLDING AMERICA, INC., NOMURA
SECURITIES INTERNATIONAL, INC., SABINE ZERARKA,
STRUCTURE TONE (UK), INC., STRUCTURE TONE GLOBAL
SERVICES, INC., THE BANK OF NEW YORK TRUST COMPANY
NA, THE NEW YORK CITY DEPARTMENT OF EDUCATION,
TISHMAN INTERIORS CORPORATION, TOSCORP INC.,
TRAMMELL CROW COMPANY, TRAMMELL CROW
CORPORATE SERVICES, INC., TUCKER ANTHONY, INC.,
TULLY CONSTRUCTION CO., INC., TULLY INDUSTRIES, INC.,
WESTON SOLUTIONS, INC., WFP RETAIL CO. G.P. CORP.,
WFP RETAIL CO. L.P., WFP TOWER A CO., WFP TOWER A CO.
G.P. CORP., WFP TOWER A CO., L.P., WFP TOWER B CO. G.P.
CORP., WFP TOWER B HOLDING CO., LP, WFP TOWER B CO.,
L.P., WFP TOWER D CO. G.P. CORP., WFP TOWER D HOLDING
CO. I L.P., WFP TOWER D HOLDING CO. II L.P., WFP TOWER
D HOLDING I G.P. CORP., AND WFP TOWER D. CO., L.P., ET AL

Defendants.

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PLEASE TAKE NOTICE that defendants, STRUCTURE TONE, INC. s/h/a


STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES,

INC. (hereinafter "STRUCTURE TONE"), as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed in the above-referenced action, hereby adopts STRUCTURE TONE's Answer to the Master Complaint dated July 30, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that STRUCTURE TONE's Answer to the Master Complaint does not comprehensively address any of the specific allegations within the Check-Off Complaint in the above-captioned matter, STRUCTURE TONE denies knowledge or information sufficient to form a belief as to the truth of such specific allegations.

WHEREFORE, STRUCTURE TONE, INC. s/h/a STRUCTURE TONE (UK), INC. and STRUCTURE TONE GLOBAL SERVICES, INC., demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York
July 22, 2008



WILLIAM D. JOYCE, III (WDJ 9899)
BARRY, McTIERNAN & MOORE

Attorneys for Defendants
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STRUCTURE TONE GLOBAL SERVICES, INC.
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